

142625

C & L TRUCKING, INC. * 15650 N. Charity Ln. * Covington, In 47932

FAX COVERSHEET

FMCSA-2001-10939-1

ATTENTION: Tom Vining
COMPANY: US DOT FMCSA
FAX#: (202) 366-1350
PAGES: 19
DATE: October 31, 2001

COMMENTS:

Following is a copy of the letter I sent on September 28, 2001 along with a copy of our Compliance Review. I appreciate your time reviewing this matter.

If you have any questions or need anything else, please feel free to call me at (765) 793-1126. Our fax number is (765) 793-4393.

Thank you,
Lori Marxmiller

01 NOV 1 11:11:48
DEPT OF TRANSPORTATION

Copy
1

C & L Trucking, Inc.

September 28, 2001

U.S. Department of Transportation
Federal Motor Carrier Safety Administration
Attn: Safety Rating
400 7th St. SW
Washington, DC 20590

RE: REVIEW NO. 00242068/CR
DOT NO. 693136

To Whom It May Concern:

In reply to the proposed motor carrier safety rating C & L Trucking, Inc. received. I am writing to request the Federal Motor Carrier Safety Administration perform an administrative review of the proposed rating. We will need a technical review done.

I would appreciate if the enclosed Traffic Accident Reports could be reviewed and removed from our record.

On Case# 010512468, the driver of Unit 2 obtained an attorney within seven (7) days of the accident. Per the Accident Report, neither of the vehicles was disabled. We believe that the driver of Unit 2 went to the hospital for financial gain.

On Case/Complaint# 010632301, our driver of Unit 2 was driving a Tri-axle Dump Truck when hit by Unit 1 (a personal vehicle.) There was no damage done to our vehicle, but our driver went to the hospital after the accident anyway.

Sergeant Michael A. Templeton, who was in charge of our review, looked over both accident reports and stated that the two (2) accidents were too insignificant to be rated as a crash. Mr. Templeton indicated that he was going to indicate this in his report. I also feel that these accidents do not warrant to be rated as crashes.

Please take into consideration that our company does local hauling only, not over-the-road hauling, which is why we only have 154,085 miles driven in the previous year. With having two (2) recordable crashes and the extremely low mileage, it brought our Crash Rate up dramatically and gave us an Unsatisfactory rating for Factor 6.

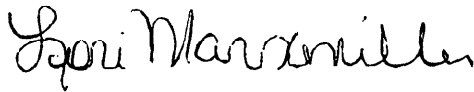
Please review the above information and change our proposed rating to Satisfactory.

15650 N. Charity Ln. • Covington, IN 47932 • Phone (765) 793-1126 • Fax (765) 793-4393

C & L Trucking, Inc.

If you should have any questions, please feel free to call me at (765) 793-1126.

Sincerely,



Lori Marxmiller
President
C & L Trucking, Inc.

Enclosure

P.S. This letter was previously sent to the FMCSA in Indianapolis on August 28, 2001. To date, we have not received a response and the "proposed CONDITIONAL rating" letter stated the rating becomes a final rating and goes into effect on October 1, 2001. I called the Indianapolis office several times and finally was able to speak with Brian Fahey. He stated that I would need to submit a letter requesting a technical review to the Washington office. Please contact me as soon as possible as I am very concerned regarding this matter.

POLICE - 94-97

010512468

SEATING		Other Involved Unit (Circle One)		Other Involved Unit (Circle One)		CODES	
Unit 1	42	Unit 2	42	Unit 3	42	SAFETY EQUIPMENT	
						01 - None Installed 02 - Not Applicable 03 - Not Applicable 04 - Not Applicable 05 - Not Applicable 06 - Not Applicable 07 - Not Applicable 08 - Not Applicable 09 - Not Applicable 10 - Not Applicable 11 - Not Applicable 12 - Not Applicable 13 - Not Applicable 14 - Not Applicable 15 - Not Applicable 16 - Not Applicable 17 - Not Applicable 18 - Not Applicable 19 - Not Applicable 20 - Not Applicable 21 - Not Applicable 22 - Not Applicable 23 - Not Applicable 24 - Not Applicable 25 - Not Applicable 26 - Not Applicable 27 - Not Applicable 28 - Not Applicable 29 - Not Applicable 30 - Not Applicable 31 - Not Applicable 32 - Not Applicable 33 - Not Applicable 34 - Not Applicable 35 - Not Applicable 36 - Not Applicable 37 - Not Applicable 38 - Not Applicable 39 - Not Applicable 40 - Not Applicable 41 - Not Applicable 42 - Not Applicable 43 - Not Applicable 44 - Not Applicable 45 - Not Applicable 46 - Not Applicable 47 - Not Applicable 48 - Not Applicable 49 - Not Applicable 50 - Not Applicable 51 - Not Applicable 52 - Not Applicable 53 - Not Applicable 54 - Not Applicable 55 - Not Applicable 56 - Not Applicable 57 - Not Applicable 58 - Not Applicable 59 - Not Applicable 60 - Not Applicable 61 - Not Applicable 62 - Not Applicable 63 - Not Applicable 64 - Not Applicable 65 - Not Applicable 66 - Not Applicable 67 - Not Applicable 68 - Not Applicable 69 - Not Applicable 70 - Not Applicable 71 - Not Applicable 72 - Not Applicable 73 - Not Applicable 74 - Not Applicable 75 - Not Applicable 76 - Not Applicable 77 - Not Applicable 78 - Not Applicable 79 - Not Applicable 80 - Not Applicable 81 - Not Applicable 82 - Not Applicable 83 - Not Applicable 84 - Not Applicable 85 - Not Applicable 86 - Not Applicable 87 - Not Applicable 88 - Not Applicable 89 - Not Applicable 90 - Not Applicable 91 - Not Applicable 92 - Not Applicable 93 - Not Applicable 94 - Not Applicable 95 - Not Applicable 96 - Not Applicable 97 - Not Applicable 98 - Not Applicable 99 - Not Applicable 100 - Not Applicable	
Name: FULGENCIO HERNANDEZ		Address: 2010 33rd St. S.W. B. HAM		Unit No: 2		Year: 1	
Taken To: UNIVERSITY HOSPITAL		Address: B.F.D. ROUTE 22		Taken By: 2		Year: 1	
Name: N/A		Address: N/A		Unit No: N/A		Year: N/A	
Taken To: N/A		Address: N/A		Taken By: N/A		Year: N/A	
Injury Type		Other Involved Unit		Other Involved Unit		Other Involved Unit	
A - None B - Bruise/Abasion/Smelling C - Visible in Contact from Scene D - Not Visible - Not Applicable		E - None F - Fully G - Partially		H - None I - Fully J - Partially		K - None L - Fully M - Partially	
Ambulance Attended		Police		Police		Police	
N/A		N/A		N/A		N/A	
SEE PAGE 3							
NARRATIVE AND DIAGRAM							
Driver's Opinion of What Happened: DRIVER VEH. 1 STATED HE ENTERED THE INTERSECTION WITH A GREEN LIGHT. DRIVER VEH. 2 STATED TRAFFIC WAS BACKED UP IN LEFT LANE, SO HE WAS ATTEMPTING TO TURN INTO RIGHT LANE, WHEN VEH. 2 ENTERED INTERSECTION (RIGHT LANE) BUT DRIVER VEH. 1 UNABLE TO STOP PRIOR TO COLLISION. DRIVER VEH. 2 STATED HE WAS STOPPED AT (SEE PAGE 3)							
For Each Roadway Environment Field, Circle One Entry for Each Involved Unit.							
Roadway Environment							
1 - None 2 - None 3 - None 4 - None 5 - None 6 - None 7 - None 8 - None 9 - None 10 - None 11 - None 12 - None 13 - None 14 - None 15 - None 16 - None 17 - None 18 - None 19 - None 20 - None 21 - None 22 - None 23 - None 24 - None 25 - None 26 - None 27 - None 28 - None 29 - None 30 - None 31 - None 32 - None 33 - None 34 - None 35 - None 36 - None 37 - None 38 - None 39 - None 40 - None 41 - None 42 - None 43 - None 44 - None 45 - None 46 - None 47 - None 48 - None 49 - None 50 - None 51 - None 52 - None 53 - None 54 - None 55 - None 56 - None 57 - None 58 - None 59 - None 60 - None 61 - None 62 - None 63 - None 64 - None 65 - None 66 - None 67 - None 68 - None 69 - None 70 - None 71 - None 72 - None 73 - None 74 - None 75 - None 76 - None 77 - None 78 - None 79 - None 80 - None 81 - None 82 - None 83 - None 84 - None 85 - None 86 - None 87 - None 88 - None 89 - None 90 - None 91 - None 92 - None 93 - None 94 - None 95 - None 96 - None 97 - None 98 - None 99 - None 100 - None							
Traffic Control							
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Property Damage Description							
1 - None 2 - None 3 - None 4 - None 5 - None 6 - None 7 - None 8 - None 9 - None 10 - None 11 - None 12 - None 13 - None 14 - None 15 - None 16 - None 17 - None 18 - None 19 - None 20 - None 21 - None 22 - None 23 - None 24 - None 25 - None 26 - None 27 - None 28 - None 29 - None 30 - None 31 - None 32 - None 33 - None 34 - None 35 - None 36 - None 37 - None 38 - None 39 - None 40 - None 41 - None 42 - None 43 - None 44 - None 45 - None 46 - None 47 - None 48 - None 49 - None 50 - None 51 - None 52 - None 53 - None 54 - None 55 - None 56 - None 57 - None 58 - None 59 - None 60 - None 61 - None 62 - None 63 - None 64 - None 65 - None 66 - None 67 - None 68 - None 69 - None 70 - None 71 - None 72 - None 73 - None 74 - None 75 - None 76 - None 77 - None 78 - None 79 - None 80 - None 81 - None 82 - None 83 - None 84 - None 85 - None 86 - None 87 - None 88 - None 89 - None 90 - None 91 - None 92 - None 93 - None 94 - None 95 - None 96 - None 97 - None 98 - None 99 - None 100 - None							
Investigation							
1 - None 2 - None 3 - None 4 - None 5 - None 6 - None 7 - None 8 - None 9 - None 10 - None 11 - None 12 - None 13 - None 14 - None 15 - None 16 - None 17 - None 18 - None 19 - None 20 - None 21 - None 22 - None 23 - None 24 - None 25 - None 26 - None 27 - None 28 - None 29 - None 30 - None 31 - None 32 - None 33 - None 34 - None 35 - None 36 - None 37 - None 38 - None 39 - None 40 - None 41 - None 42 - None 43 - None 44 - None 45 - None 46 - None 47 - None 48 - None 49 - None 50 - None 51 - None 52 - None 53 - None 54 - None 55 - None 56 - None 57 - None 58 - None 59 - None 60 - None 61 - None 62 - None 63 - None 64 - None 65 - None 66 - None 67 - None 68 - None 69 - None 70 - None 71 - None 72 - None 73 - None 74 - None 75 - None 76 - None 77 - None 78 - None 79 - None 80 - None 81 - None 82 - None 83 - None 84 - None 85 - None 86 - None 87 - None 88 - None 89 - None 90 - None 91 - None 92 - None 93 - None 94 - None 95 - None 96 - None 97 - None 98 - None 99 - None 100 - None							

ALABAMA UNIFORM TRAFFIC ACCIDENT REPORT

LOCAL CASE NO. 010512468

Police # 2-8 Rev. 3-91

457 No. 34 Rev. 4/86

SUPPLEMENTAL SHEET

SHEET 3 OF 3 SHEET(S)

AST No 34 Rev. 8/86

SUPPLEMENTAL SHEET

Unit No.	Seat Pos.	Injury Type	Age	Sex	Ethnicity	First Aid By

	Name	Address	Unit No.	Seat Pos.	Injury Type	Age	Sex	Ethnicity	First Aid By	
ADDITIONAL ACCIDENT VICTIMS	3									
		Taken to	Taken by							
	4									
		Taken to	Taken by							
	5									
		Taken to	Taken by							
	6									
		Taken to	Taken by							
	7									
		Taken to	Taken by							
	8									
		Taken to	Taken by							
ADDITIONAL NARRATIVE SPACE	9									
		Taken to	Taken by							
	10									
		Taken to	Taken by							
	11									
		Taken to	Taken by							
	12									
		Taken to	Taken by							
	<p>DESCRIBE WHAT HAPPENED (Refer to vehicles by number)</p> <p>A RED LIGHT AND OBSERVED VEH. 1 STOPPED IN TRAFFIC IN THE INTERSECTION. DRIVER VEH. 2 STATED THAT THE OUTSIDE (RIGHT) LANE WAS CLEAR OF TRAFFIC. WHEN HIS LIGHT TURNED GREEN, HE STARTED THROUGH THE INTERSECTION, THEN VEH. 1 MOVED INTO HIS LANE RESULTING IN COLLISION.</p>									

Definitions

Truck

A motor vehicle designed, used or maintained primarily for the transportation of property. For the purpose of this form the vehicle must also meet one of the following criteria:

- Have at least 6 tires on the ground, or
- Carry a Hazardous Material Placard.

Bus

A motor vehicle providing seats for 16 or more persons including the driver and used primarily for the transportation of persons.

Trailer

A non-power vehicle towed by a motor vehicle.

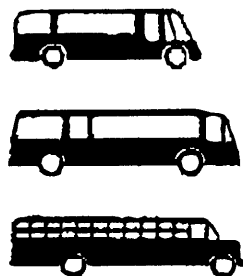
Reportable Accident

A highway related incident normally investigated by a police officer and reported on a standard accident report form involving one or more trucks or buses (as defined here) which results in:

- One or more fatalities, or
- One or more non-fatal injuries requiring transportation for the purpose of obtaining immediate medical treatment, or
- One or more of the vehicles being removed from the scene as a result of disabling damage, or
- One or more vehicles requiring intervening assistance before proceeding under its own power.

Typical Vehicle Silhouettes

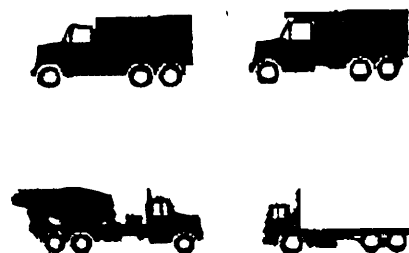
1. Bus



2. Single unit truck - 2 axles / 6 tires



3. Single unit truck - 3 axles



4. Truck with trailer



5. Truck tractor (boottail)



6. Tractor with semi-trailer



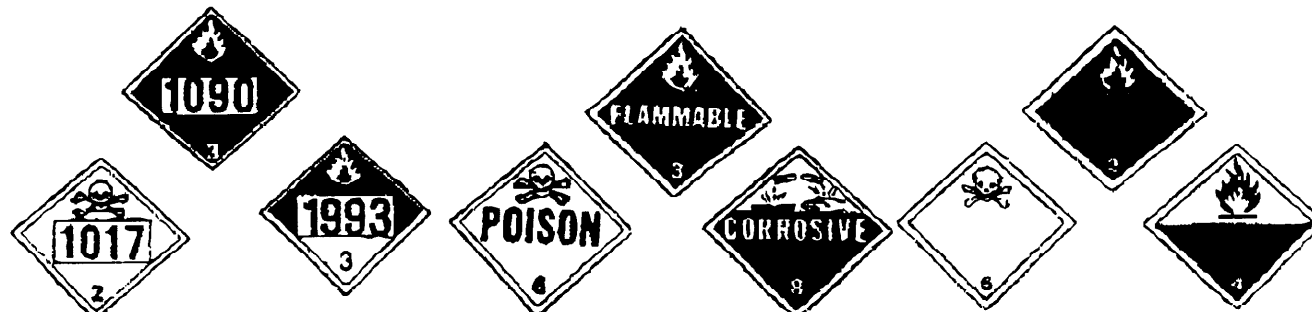
7. Tractor with double trailers

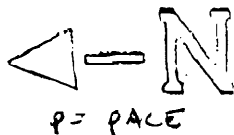


8. Tractor with triple trailers



Typical Hazardous Material Placards





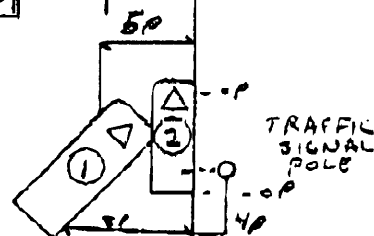
E.B. STEVENS EXPY
31 S. ENTRANCE

MEDIAN

31 S EXIT
E.B. STEVENS EXPY



25TH ST. So



UNIVERSITY BLVD

Diagram Not to Scale Diagram Scale 1 inch =	(20 feet) (10 feet)	Location UNIV. BLVD. @ E.B. STEVENS EXPY S.	Time 1530	AM PM <input checked="" type="radio"/>
Signature of Reporting Officer: <i>Ray G. Keller</i>	Officer ID 337	Reporting Police Agency OR AL0010200	DATE Month 05 Day 02 Year 2001	

7/1/01

FROM : C & L Trucking, Inc.

FAX NO. : +765 793 4393

Oct. 31 2001 11:33AM P9

876215010

Unit No. 1
(same as on main report)Alabama Uniform Traffic Accident Report
Truck/Bus Supplemental SheetSheet 2 of 3 Sheets

General Instructions	
<p>Complete this form for each qualifying vehicle ONLY if the accident meets BOTH of the following criteria:</p> <p>1. The accident involved a qualifying vehicle (truck with 6 or more tires or Haz/Mat placard, or a bus designed to carry 16 or more, including driver) and;</p> <p>2. The accident resulted in at least one of the following: A. one or more fatalities B. one or more persons injured and taken from the scene for immediate medical attention, or C. one or more involved vehicles had to be towed from the scene as a result of disabling damage or had to receive assistance to leave.</p>	
Screening Information	
<p>Number of Qualifying Vehicles:</p> <p>Trucks with 6 or more tires or Haz/Mat placard <u>1</u></p> <p>Buses designed to carry 16 or more (including driver) _____</p> <p>Number of vehicles towed from scene due to damage or provided assistance <u>1</u></p>	<p>Number of Persons:</p> <p>Sustaining fatal injuries _____</p> <p>Transported for immediate medical treatment <u>1</u></p>
Vehicle Information	
<p>Gross Vehicle Weight Rating (GVWR)</p> <p>A. Truck, tractor or bus <u>60,000</u></p> <p>B. Trailer or trailers (total) _____</p> <p>Total GVWR for unit (A+B) <u>60,000</u></p> <p>Total number of axles <u>4</u></p>	<p>Hazardous Material Involvement</p> <p>Did vehicle have a Haz/Mat placard _____ Yes <u>X</u> No</p> <p>If Yes, include following information from placard</p> <p>A. Name or 4-digit number from diamond or box <u>NA</u></p> <p>B. The 1-digit number from bottom of diamond <u>NA</u></p> <p>Was hazardous material released from THIS vehicle's cargo? _____ Yes <u>X</u> No</p>
<p>Vehicle Configuration (circle one number)</p> <p>1. Bus 2. Single unit truck (2 axles/ 6 or more tires) ③ Single unit truck (3 or more axles)</p> <p>4. Truck with trailer 5. Truck tractor only (bobtail) 6. Tractor with semi-trailer 7. Tractor with double trailers</p> <p>8. Tractor with triple trailers 9. Unknown class heavy truck 0. Any other 4-tired vehicle</p>	
<p>Cargo Body Type (circle one number)</p> <p>1. Bus 2. Van/enclosed box 3. Cargo tank 4. Flatbed ⑤ Dump</p> <p>6. Concrete mixer 7. Auto transporter 8. Garbage/ refuse 9. Other _____</p>	
Motor Carrier Information	
<p>NOTE: If NOT a motor carrier, enter NONE under Carrier Name, 0 for None under Carrier Identification Numbers, and go to Sequence Of Events Section</p> <p>Carrier Name <u>C & L TRUCKING</u></p> <p>Source (circle one number) ① Vehicle side 2. Shipping papers 3. Driver 4. Other</p> <p>Carrier mailing address (Street or P.O. Box) <u>15650 N. CHARITY LN.</u></p> <p>City, State, Zip <u>COVINGTON, IN 47932</u></p> <p>Carrier Identification Numbers (<u>2</u> None = 0)</p> <p>US DOT <u>693136 IN</u> ICC MC <u>322471 C</u> STATE NO. _____ STATE _____</p>	
Sequence of Events	
<p>Note: for THIS vehicle - list up to four</p> <p>Event #1 <u>10</u> Event #2 _____ Event #3 _____ Event #4 _____</p>	
<p>EVENT CODES</p>	<p>Non-Collision 1. Ran off road 2. Jackknife 3. Overturned (rollover) 4. Downhill runaway</p> <p>5. Cargo loss or shift 6. Explosion or fire 7. Separation of units 8. Other non-collision</p> <p>Collision With 9. Pedestrian ⑩ Non-parked vehicle 11. Parked vehicle 12. Train</p> <p>13. Pedalcycle 14. Animal 15. Fixed object 16. Other object</p>
Signature of Reporting Officer	<p>Officer ID Reporting Police Agency ORI Date Time AM PM</p> <p><u>R. G. Keller</u> <u>3039</u> <u>0010200</u> <u>05.02.01</u> <u>1530</u> <u>PM</u></p>

BIRMINGHAM POLICE DEPARTMENT TRAFFIC ACCIDENT REPORT

PREC	BEAT	UNIT
TACT	123	572

Date of Accident: 06/15/01 Time (MT): 1735 Day: S M T W T F S Complaint #: 010632301
Location of Accident: 1100 BLK OF 31ST STREET NORTH

☐ M & R (Private Property)

☐ Delayed Report

☐ Private Property

☒ Minor Damage

Unit #: 1

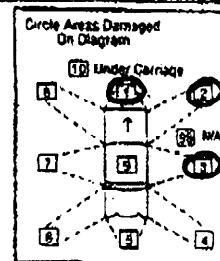
Driver: BREANT A. MATTHEWS Sex: ☒ F Race: B DOB: 04/01/65 OLN: 4830046 St: AL
Address: 4851 FULMAR DR. 35210 Home Phone: 957.1129 Bus. Phone: _____
Tag: 1FH0792 ST: AL Veh. Make: TOYT Body: 4D Yr: 87 VIN: JT2SV2E2H3058730
Insurance Company: SOUTHERN

Owner: SAKE AS DRIVER

Address: _____

Phone: _____ Damage Severity: ☐ None Visible ☒ Visible

Apparent Contributing Circumstance(s): MISTJUDGE STOPPING DISTANCE



Unit #: 2

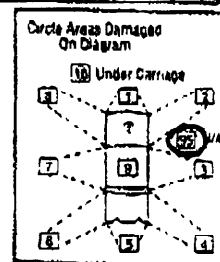
Driver: DONALD J. WADE Sex: ☒ F Race: W DOB: 05/11/81 OLN: 6680357 St: AL
Address: 21751 HWY 216 35111 Home Phone: 477.6737 Bus. Phone: _____
Tag: 1X75183 ST: AL Veh. Make: KENW Body: NA Yr: 93 VIN: 1XKADB9X2PJ596659
Insurance Company: CHAFFIN

Owner: J-C MARXMEIER

Address: 5803 BENE VILLAGE 35216

Phone: 365.5885 Damage Severity: ☒ None Visible ☐ Visible

Apparent Contributing Circumstance(s): NONE



Describe What Happened: BOTH UNITS WERE NORTH BOUND ON 31ST ST. WHEN UNIT 1 STRUCK THE REAR OF UNIT 2.

Fixed Object: NA Owner: NA

This report reflects my opinion and belief covering the knowledge of this accident, but no warrant is made as to the factual accuracy thereof.

Officer: SMITH, T.E. #: 2700 Officer: _____ #: _____

Date of Report: 06/15/01 Time (MT): 1755

NOTE: THE DRIVER OF EVERY MOTOR VEHICLE INVOLVED IN AN ACCIDENT MUST FILE SR-13 WITH THE STATE OF ALABAMA, WITHIN 10 DAYS FROM THE DATE OF THE ACCIDENT WHEN ANY PROPERTY DAMAGE EXCEEDS \$250.00.



US DOT #:

0693136

LEGAL: C & L TRUCKING INC

OPERATING (DBA):

PHYSICAL ADDRESS: 15650 North Charity Lane
COUNTY: 165 Covington, IN, 47932MAILING ADDRESS: 15650 North Charity Lane
COUNTY: 165 Covington, IN, 47932REVIEW TYPE: CR
STATUS: Update
PLACE: Principal Office
CENSUS TYPE: Carrier
BUSINESS: Corporation

ICC #: 322471

FEDERAL TAX ID #:
35-2049438 (EIN)

PHONE: (765)793-1126

TOLL FREE:

FAX #: (765)793-4393

E-MAIL: clm@ctcg.com

OPERATION TYPE

CARRIER OPERATION:

SHIPPER OPERATION:

INTERSTATE

INTRASTATE

OIC: 18

TERRITORY:

Non-HM

N/A

N/A

N/A

CARRIER CLASSIFICATION:

(A)

Authorized

CARGO CLASSIFICATION:

(G, S)

Building Materials, Garbage, Refuse, Trash

EQUIPMENT:	TRUCK	TRUCK TRACTOR	TRAILER	HM TANK TRUCK	HM TANK TRAILER	MOTOR COACH	SCHOOL BUS	LIMO	PASS. VAN
OWNED	7	1	1						
TERM LEASED	12								
TRIP LEASED									

DRIVERS:

INTER

INTRA

Avg. Trip Leased Drivers/Mo.:

<100 Miles:

21

Total Drivers:

21

CDL Drivers:

21

Does carrier transport placardable
quantities of HM?

No

QUESTIONS regarding this report or the Federal Motor Carrier Safety or
Hazardous Materials rules may be addressed to the Office of Motor Carriers at:

This report will be used to assess your safety compliance.

PERSON(S) INTERVIEWED: Jennifer M. Farnsworth

Lori D. Marxmiller

TITLE(S): Secretary

President

REPORTED BY:

TITLE:

CODE: IN2572

DATE: 07/27/2001

RECEIVED BY:

TITLE:



COMPLIANCE C & L TRUCKING INC
REVIEW USDOT: 0693136

DATE: 07/27/2001
PAGE: 1

PART B

1 FEDERAL	PRIMARY: 391.23(a)	NUMBER FOUND 1	NUMBER CHECKED 5	DRIVERS/VEHICLES IN VIOL 1	CHKD 5
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DESCRIPTION:

Failing to investigate driver's background.

EXAMPLE:

Driver: Keith Mitchell
Trip date:

2 FEDERAL	PRIMARY: 391.51(b)(2)	NUMBER FOUND 2	NUMBER CHECKED 5	DRIVERS/VEHICLES IN VIOL 2	CHKD 21
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DESCRIPTION:

Failing to maintain inquiries into driver's employment record in driver's qualification file.

EXAMPLE:

Driver: Brian K Hayes
Trip date:

3 FEDERAL	PRIMARY: 395.3(b)(1)	NUMBER FOUND 2	NUMBER CHECKED 274	DRIVERS/VEHICLES IN VIOL 2	CHKD 5
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DESCRIPTION:

Requiring or permitting driver to drive after having been on duty more than 60 hours in 7 consecutive days.

EXAMPLE:

Driver: Perry Holland
Trip date: 05-12-2001

4 FEDERAL	PRIMARY: 395.8(a)	NUMBER FOUND 14	NUMBER CHECKED 305	DRIVERS/VEHICLES IN VIOL 2	CHKD 5
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DESCRIPTION:

Failing to require driver to make a record of duty status.

EXAMPLE:

driver: Michael Huntley
Trip date: 04-06-2001

RECEIVED BY:	TITLE:
--------------	--------

	COMPLIANCE C & L TRUCKING INC	DATE: 07/27/2001
	REVIEW USDOT: 0693136	PAGE: 2
PART B		

5 FEDERAL	PRIMARY: 396.17(c)	NUMBER FOUND 4	NUMBER CHECKED 5	DRIVERS/VEHICLES IN VIOL 4	CHKD 5
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DESCRIPTION:

Using a commercial motor vehicle not periodically inspected in accordance with minimum standards.

EXAMPLE:

Unit 11, 1988 International dump truck

SAFETY FITNESS RATING INFORMATION:

Total Miles Operated: 154,085
Recordable Crashes 2
Recordable Crashes / Million Miles: 12.980

OOS Vehicles (CR) : 0
of Vehicles Inspected (CR) : 0
OOS Vehicles (MCMIS) : 0
of Vehicles Inspected (MCMIS) : 0


Your proposed safety rating is	RATING FACTORS	# OF POINTS	
		ACUTE	CRITICAL
CONDITIONAL	Factor 1: S	0	0
	Factor 2: S	0	0
	Factor 3: S	0	0
	Factor 4: S	0	0
	Factor 5: N	0	0
	Factor 6: U	-	-

The Federal Motor Carrier Safety Administration headquarters office in Washington, D.C. will notify you of your rating in a forthcoming official notice. If your rating is "satisfactory" or is an improvement upon a previous "unsatisfactory" rating, it is a "final rating" and becomes effective on the date of the official notice.

If your rating is the same as your previous rating (except satisfactory ratings), or is a downgrade upon a previous rating, it is a "proposed rating" and will become a final rating 61-days after the date indicated on the official notice.

Owners or operators of commercial motor vehicles (except for those that are designed or used to transport hazardous material for which placarding is required and/or are designed or used to transport passengers), who have been declared "unfit" may not operate in interstate commerce beginning on the 61st day after the date of such fitness determination and may not reestablish interstate operations until they become fit for such transportation. An owner or operator is unfit when the Federal Motor Carrier Safety Administration (FMCSA) issues a final "unsatisfactory" safety rating (49 USC 31144(c) and 49 CFR 385.13(a)). All Federal departments, agencies, or instrumentalities are prohibited from using any owner or operator who is unfit by virtue of having a final unsatisfactory safety rating (49 USC 31144(e) and 49 CFR 385.13(b)). Owners and operators are "fit" when the FMCSA issues a final "conditional" or

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PART B		

"satisfactory" safety rating.


Corrective action must be taken for the violations (deficiencies) listed on Part B of this review.

APPEAL RIGHTS: [A] 49 CFR 385.17: A request for a change to a safety rating for corrective action may be made at any time. This request must be made in writing to the FMCSA Service Center for the geographic area where the carrier maintains its principal place of business (See 49 CFR 390.27). The request must be based upon evidence that the carrier has taken corrective actions and that its operations currently meet the safety fitness standards and factors specified in 49 CFR 385.5 and 385.7. The FMCSA will make a final determination based upon the documentation submitted and any other additional relevant information. A written decision will be issued by the FMCSA. Any motor carrier whose request for change is denied may, within 90-days after the denial, request administrative review under 49 CFR 385.15.

[B] 49 CFR 385.15: A request may be made to the FMCSA to conduct an administrative review if you believe that an error was committed in assigning the proposed safety rating or when your request under 49 CFR 385.17 was denied. This request must be made within 90 days of the date of the proposed safety rating issued under 49 CFR 385.11(c) or a final rating issued under 49 CFR 385.11(b), or within 90-days of the date of an Order denying your request for a rating change under 49 CFR 385.17.


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Requirements and/or Recommendations		

- 1 Ensure all drivers are fully and properly qualified before operating in interstate commerce. Maintain a complete file for each driver documenting the qualification process.
- 2 Obtain a copy of each driver's driving record and review it annually.
- 3 Ensure that each laboratory used in your drug testing program provides a quarterly statistical summary of urinalysis testing of your drivers.
- 4 Ensure all drivers use seat belts when driving commercial motor vehicles.
- 5 Ensure all vehicles are systematically repaired and maintained. Establish a complete file for each vehicle, recording all repair, maintenance and inspection operations performed.
- 6 Establish a systematic maintenance records program for all vehicles. Maintain a complete file for each subject vehicle, recording all repair, maintenance and inspection operations performed.
- 7 Require all drivers to prepare a written inspection report for each day a vehicle is operated. Ensure each report is signed by the driver, certified and reviewed if defects are reported, then kept in the vehicle for a day.
- 8 Ensure all vehicles are systematically repaired and maintained. Establish a complete file for each vehicle, and record all inspection, maintenance, and repair operations performed. It is suggested that you keep records pertaining to each individual unit in its own folder or jacket.
- 9 Ensure that the persons or entities that perform preventative maintenance inspections on your equipment are abiding by the time or mileage intervals which you have established or agreed upon. Ensure that records are kept of such periodic preventative maintenance inspections. If schedules are not being adhered to, take corrective action.
- 10 Maintain evidence of inspector's qualifications.
- 11 Require all drivers to prepare complete, accurate records of duty status for each day, and to submit them within 13 days. Maintain all duty status records on file, with all supporting documents, for at least 6 months.
- 12 Within 15 days, send a letter to our office describing what actions you have taken in response to this review to ensure you are complying with the Federal Motor Carrier Safety Regulations.
- 13 Federal Motor Carrier Safety Administration
575 North Pennsylvania Street, Suite 262
Federal Office Centre'
Indianapolis, In 46204


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- 14 Federal Motor Carrier Safety Administration: 317-226-7474
Indiana State Police, Commercial Vehicle Enforcement Division: 317-615-7373
- 15 This review will result in a Safety Rating.

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Safety Fitness Rating Report		

This report lists the facts which were used to determine the Safety Fitness Rating for the above motor carrier. Federal and State violations are combined for rating purposes. However, only the federal or federal equivalent section number is shown below. A check mark identifies the range within which the data fell when determining the Safety Fitness Rating. All information within a FACTOR block relates only to that FACTOR.

FACTOR 1	General (CFR Parts 387, 390)	√ 0 Point = Satisfactory
VIOLATIONS AFFECTING RATING	POINTS	1 Point = Conditional
NONE	TOTAL POINTS: 0 = SATISFACTORY	>1 Point = Unsatisfactory

FACTOR 2	Driver Qualification (CFR Parts 382, 383, 391)	√ 0 Point = Satisfactory
VIOLATIONS AFFECTING RATING	POINTS	1 Point = Conditional
NONE	TOTAL POINTS: 0 = SATISFACTORY	>1 Point = Unsatisfactory


FACTOR 3	Operational/Driving (CFR Parts 392, 395)	√ 0 Point = Satisfactory
VIOLATIONS AFFECTING RATING	POINTS	1 Point = Conditional
NONE	TOTAL POINTS: 0 = SATISFACTORY	>1 Point = Unsatisfactory

FACTOR 4	Vehicle/Maintenance (CFR Parts 393, 396, Performance Data (OOS%))	
VIOLATIONS AFFECTING RATING	POINTS	Fewer than 3 inspections
NONE	TOTAL POINTS: 0 = SATISFACTORY (see chart)	

Fewer than 3 Inspections	3 or more Inspections	
Rate same as other Regulatory Factors 1, 2, and 3 √ 0 Point = Satisfactory 1 Point = Conditional >1 Point = Unsatisfactory	OOS Less than 34%	OOS 34% or Higher
	Satisfactory	Conditional
	Conditional If a pattern of Non-Compliance with a Critical or an Acute Violation	Unsatisfactory If a pattern of Non-Compliance with a Critical or an Acute Violation

FACTOR 5	Hazardous Material (CFR Parts 397, 171, 177, 180)
Not Applicable - Not a carrier of Hazardous Material	

FACTOR 6	Crash (Recordable Crash Rate)
$((\text{Recordable Crashes}) \times (1 \text{ million})) \div (\text{Total Miles}) = \text{Rate}$	
$(2 \times 1,000,000) \div 154,085 = 12.980 = \text{UNSATISFACTORY}$	
URBAN CARRIER - All drivers operate within <100 air miles	
CRASH RATE	FACTOR RATING
0.000 - 1.700	= Satisfactory
√ >1.700	= Unsatisfactory

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Safety Fitness Rating Report			

OVERALL SAFETY FITNESS RATING:

Number of Factors (1-6) shown above as less than satisfactory

Unsatisfactory

Conditional

1

0

=

CONDITIONAL**FORMULA TO CALCULATE THE OVERALL SAFETY FITNESS RATING**

Number of Factors

Unsatisfactory

Conditional

OVERALL RATING

0

2 or fewer

Satisfactory

0

3 or more

Conditional

✓

1

2 or fewer

Conditional

1

3 or more

Unsatisfactory

2

0 or more

Unsatisfactory

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